IN THE HIGH COURT OF UTTARANCHAL,
AT NAINITAL

Criminal Misc. Application No. 319 of 2003

Vikas Arora S/o Sri Dharamveer Arora
R/o H No. 3E- 16
BP NIT Faridabad ..... Applicant.

Vs.

1. Special Judicial Magistrate, Haridwar
2. Station House Officer
   Police Station Ranipur, District Haridwar
3. State of Uttaranchal
4. Smt. Tanu Arora D/o Sri Harish Kapoor
   R/o Quarter No. 9 Medical Colony
   B.H.E.L. Ranipur
   Haridwar .....Respondents

With

2. Criminal Misc. Application No. 318 of 2003

1. Dharamvir Aroara S/o.....
   R/o .....
2. Manorama Arora W/o Dharamvir Arora
3. Sanjay Arora S/o Dharamvir Arora
4. Mamta Aroar W/o Sanjay Arora
   All R/o 3-H/52 N.I.T. Faridabad
   District Faridabad, Hariyana ..... Applicant.

Vs.

1. Special Judicial Magistrate, Haridwar
2. Station House Officer
   Police Station Ranipur, District Haridwar
3. State of Uttaranchal
4. Smt. Tanu Arora D/o Sri Harish Kapoor
   R/o Quarter No. 9 Medical Colony
   B.H.E.L. Ranipur
   Haridwar .....Respondents

With

3. Criminal Misc. Application No. 550 of 2004

Vikas Arora S/o Sri Dharamveer Arora
R/o H No. 3E- 16
BP NIT Faridabad ..... Petitioner

Vs.

1. Special Family Court, Haridwar
2. Smt. Tanu Arora D/o Sri Harish Kapoor

3. Km. Mitali D/o Sri Vikas Arora
Both R/o Quarter No.9
Medical Colony
B.H.E.L. Ranipur, Haridwar .....Respondents

Sri Sudhir Singh, learned counsel for the petitioner.
Sri Sandeep Tandon, learned counsel for the respondent No.2
Learned A.G.A. for the State

Hon'ble B.C. Kandpal, J.

By way of the petition No. 319 of 2003, the petitioner has prayed for quashing the summoning dated 12.09.2003 as well as entire criminal proceedings in Criminal Case No. 535 of 2003 Tannu Arora Vs Vikas Arora & others under Section 498-A, 506 I.P.C. read with Section ¾ Dowry Prohibition Act pending in the court of Special Judicial Magistrate, Haridwar.

2. By way of the petition No. 318 of 2003, the petitioners have prayed for quashing the summoning order dated 12.09.2003 as well as entire criminal proceedings in Criminal Case No. 535 of 2003 Tannu Arora Vs Vikas Arora & others under Sections 498-A, 506 I.P.C. and ¾ Dowry Prohibition Act pending in the court of Special Judicial Magistrate, Haridwar.

3. By way of the petition No. 550 of 2004, the petitioner- Vikas Arora has prayed for quashing the order dated 07.10.2004 in Case NO. 193 of 2002 under Section 125 Cr. P.C. pending in the court of Family Judge, Haridwar by which the amount of interim maintenance allowance of Rs. 2000/- per month was awarded in favour of the respondents No.2 and 3.

4. Heard Sri Sudhir Singh, learned counsel for the petitioners, Sri Sandeep Tandon, learned counsel for the

respondents, namely, Tannu Arora and Km. Mitali, learned A.G.A. for the State and perused the record.

5. At the time of hearing of these cases, both the parties have submitted before the Court that the parties have entered into compromise and they intend to settle all the disputes pending between them. They have also agreed that all the proceedings relating to the matrimonial dispute in various courts shall be withdrawn.

6. The compromise deed has been filed before this Court and both the parties have appeared in person before the Court in order to verify the compromise deed.

7. It is admitted by the parties that petitioner has handed over the draft amounting to Rs. 4,75,000/- to the respondent- Tannu Arora as one time settlement.

8. Having considered the material available on record and the fact that both the parties have entitled into compromise and intend to settle down all the dispute pending between them relating to the matrimonial matter, I am of the view that the petitions are liable to be disposed of, in the light of the compromise arrived at between the parties as well as in the light of the direction issued by Hon'ble Supreme Court in ***Ruchi Agarwal Vs. Amit Kumar Agarwal*** *reported in* ***(2005) 3 SCC page 299.***

9. I am of the view that the petitions filed under Section 482 Cr. P.C. Should be disposed of in the light of the aforesaid decision.

10. Accordingly, the petition No. 319 of 2003 is allowed and the summoning order dated 12.09.2003 as well as entire

criminal proceedings in Criminal Case No. 535 of 2003 Tannu Arora Vs. Vikas Arora & others under Sections 498-A, 506 I.P.C. read with Section ¾ Dowry Prohibition Act pending in the Court of Special Judicial Magistrate, Haridwar are hereby quashed.

11. Further the petition No. 318 of 2003 is allowed and the summoning order dated 12.09.2003 as well as entire criminal proceedings in Criminal Case No. 535 of 2003 Tannu Arora Vs Vikas Arora & others under Section 498-A, 506 I.P.C. and 3/4 Dowry Prohibition Act pending in the court of Special Judicial Magistrate, Haridwar are hereby quashed.

12. The petition No.550 of 2004 is also allowed and the order dated 07.10.2004 in Case No. 193 of 2002 under Section 125 Cr. P.C. pending in the court of Family Judge, Haridwar is hereby quashed. The further proceedings of the case under Section 125 Cr. P.C. Pending, if any before the court of Judge Family Court are also dropped.

13. Accordingly, all the petitions under Section 482 Cr. P.C.C. are disposed of in terms of the compromise arrived at between the parties.

(B.C. Kandpal, J.)

21.8.2006
ASWAL